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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF: CONSCIENTIOUS OBJECTION TO MILITARY SERVICES

Written statement submitted by Pax Christi International, International Catholic Peace Movement, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with the Economic and Social Council resolution 1996/31.

[10 December 1998]

GE.99-10670 (E)

Conscientious objection: the right to refuse to kill

1. Out of the agony of the bloodiest century in human history, whose two world wars alone produced tens of millions of maimed and dead, a conviction has seized many that as humanity faces the third millennium it must make an about-face in the matter of resorting to war's violence to resolve conflicts.

2. Pax Christi, the International Catholic Peace Movement, has made many interventions to the Commission on Human Rights on the right of conscientious objection to military service. In common with other NGO's in consultative status, Pax Christi thanks the Commission for its concern for this right. The concern has been expressed in dealing with, among others, the thorny issues of the right of the war objector to claim asylum and the right to alternative service compatible with the reason for the conscientious objection, service which is made punitive now as it is of longer duration than the period of military service.

3. Pax Christi has emphasized that conscientious objection applies in a special way to the young who are conscripted and dragooned into military and war service. They are then subjected to military obedience, an absolute obedience which rules out questioning of orders or dissent under pain of severe punishment, even death.

4. The experience of the twentieth century has led Pax Christi members and large numbers of the Catholic community to a fresh assessment of war and violence.

5. Since modern technological war is total, allowing for no discrimination between combatants and non-combatants, many are convinced that engagement in it, is fraught with moral peril. The killing of civilians, even schoolchildren at their desks, in the bombardment of cities, can be assimilated to murder. In 1965, the bishops of the Catholic world, meeting in Rome, supported the consciences of war objectors when they termed the war which destroyed whole areas along with their populations as "a crime against God and man". Once a war is declared - and each war declared by a nation-State is invariably termed a "just war" - horrendous policies can be put in force. In addition to the destruction of the "enemies", the warring nation-state is free to turn its destructive powers against its own citizens, minorities or dissenters. The Second World War surpassed all others in the number of citizens put to death in Europe's concentration camps or deported to die in Siberia and Asiatic Russia.

6. With the communication revolution of our century, the old myths of war service and its glory have lost their seduction. Instead, the dread realities of modern war have become imprinted on our consciousness. Another result of the communications revolution is the heart-stopping presentation of the sufferings that afflict humankind, starvation, homelessness or the eruptions of nature in floods or earthquakes. The commonality of humankind, turning away from war's violence in which its members have been used as pawns, either as targets or perpetrators, has shown an increase of tenderness in assuaging pain around the world. The younger members of society are in the forefront of volunteer services in their local communities and in aid programmes which cross borders and seas. One of the fastest-growing disciplines in colleges i

the United States is that of Peace studies. Young people are investigating the ways in which they can become activists in avoiding war and violence and in conflict resolution. The seemingly negative stance of conscientious objection is only a preparatory step towards a conscientious affirmation. During their college years they wish to find ways of contributing to social peace and the defusing of situations ripe for outbreaks of violence. Peace studies bring to the table of rational discourse the many issues that have inflamed hearts and minds over the centuries; issues that in fact may never reach resolution but which may be prevented from descending into violence.

7. It is the young who lead the movement for the abolition of all nuclear weapons. To them, holding on to the so-called "deterrent" at astronomical cost is a waste of human resources that should be used to meet the urgent unmet needs of the human community. Pax Christi-USA arranged for a group of members, including bishops, to visit the complex of California laboratories where nuclear weapons are stored and modernized. As citizens of the nation which possesses the world's largest complement of nuclear weapons, Pax Christi-USA published in 1998 a booklet which faults the deterrent and deterrent thinking. Under the title "Morality of Nuclear Deterrence", 94 bishops members of Pax Christi-USA pointed out that with the break-up of the Soviet Union and the end of the Cold War, "the Cold War weapons amassed throughout that struggle have survived the struggle itself". They expressed the fear that "instead of progressive nuclear disarmament, we are witnessing the institutionalization of the nuclear deterrent". The booklet carried the unequivocal statement delivered to the First Committee of the General Assembly by the representatives of Pope John Paul II: "Nuclear weapons", he stated on 19 October 1998, "are incompatible with the peace we seek for the twenty-first century. They cannot be justified. They deserve condemnation ... The great task ahead for the twenty-first century is to move from a culture of violence to a culture of peace".

8. The General Assembly heard almost the same words on 10 November 1998 in an appeal led by 23 Nobel Peace laureates. Their appeal was for a Decade of Peace and Non-Violence from 2001 to 2010. The proclamation calls on each State Member of the United Nations to take the necessary steps so that the principles of non-violence are taught at every level of society. Among the signers of the appeal were Mairead Corrigan Maguire of Ireland, Mother Teresa of Calcutta, Nelson Mandela and Archbishop Desmond Tutu of South Africa and His Holiness the Dalai Lama. While general steps may hasten the vision of a culture of non-violence, it is only when non-violence inhabits the human heart that it will spread. When one human heart is on fire with non-violence it can transmit it to others by word, by deed and by life lived in the spirit of non-violence.

9. While the subject of this statement is conscientious objection to military service, Pax Christi has broadened the subject to "the right to refuse to kill". Many nations have included the right to conscientious objection in their military codes since the issue was first introduced in the Commission on Human Rights by an NGO in 1970. In the past decades, wars have been fought in areas where the military code makes no room for conscientious objection but countenances massacres of the wives and children of the male combatants.

10. Among the members of Pax Christi are many who have embraced complete non-violence in their lives. For them, the right to refuse to kill reaches into every aspect of their lives, not simply warfare, but day-to-day living where violence may take the form of life-threatening criminal acts. A person sworn to non-violence will defend himself or herself to the extent possible but will not take a life. This position, formerly a marginal one held by certain groups, has ceased to be marginalized as increasing numbers of men and women across the globe share it and act on it. The effects are being perceived in the wider society.

11. These members of Pax Christi find the resource for their witness of non-violence in the early centuries of the Common Era we refer to as the First Millennium when the followers of Jesus suffered the severest penalties, even death, for their refusal to take life. They took this path in imitation of one who suffered execution on the cross while loving and forgiving his executioners.

12. In a period when any violence may lead to all violence, namely a nuclear explosion, the witness of total non-violence may be salutary; it points to the utter sacredness of life and to the most basic right of all, the right to life.

13. By rejecting the option of violence, the right to refuse to kill opens up the question of how human beings can act when violent methods of resolving disputes are the accepted norm. The prior rejection will open doors to creative responses of non-violence that are already at work in societies around the world. Ridding people and their societies of the propensity for violence and warmaking relies in the end on the transformation of consciousness. The assertion of the right to refuse to kill and the example of those who live by this principle will contribute to this transformation of consciousness.